

JUL 31 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

RAMON GODOY VARGAS,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-75965

Agency No. A75-511-377

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Ramon Godoy Vargas, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' summary affirmance without

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

opinion of an immigration judge's denial of his application for cancellation of removal. Our jurisdiction is governed by 8 U.S.C. § 1252.

We lack jurisdiction to review the agency's discretionary hardship determination. *See Romero-Torres v. Ashcroft*, 327 F.3d 887 (9th Cir. 2003).

Although we retain jurisdiction to review due process challenges to that determination, petitioner's contention that the IJ failed to consider all the relevant factors in his case is not supported by the record and fails to state a colorable due process claim. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005); *Larita-Martinez v. INS*, 220 F.3d 1092, 1095-96 (9th Cir. 2000) (rejecting contention that the agency did not consider entire record where there was no basis for rebutting presumption that the agency reviewed all the relevant evidence).

PETITION FOR REVIEW DISMISSED.